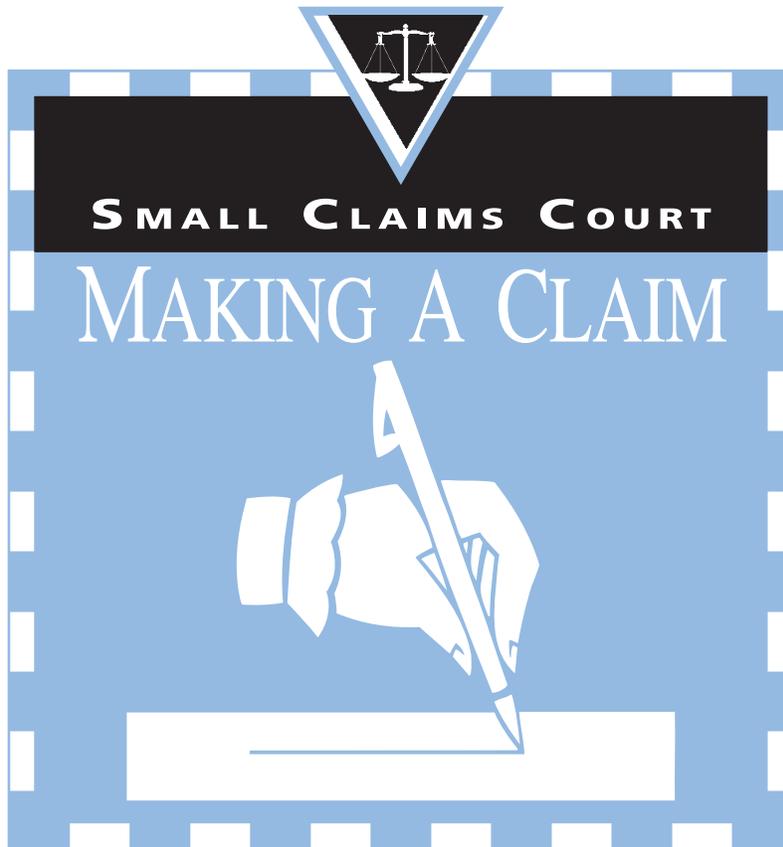


NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM



PROVINCIAL COURT OF BRITISH COLUMBIA



MAKING A CLAIM

If Proceedings Previously Initiated Before Civil Resolution Tribunal

COMPLETE the Notice of Civil Resolution Tribunal Claim form, print clearly and firmly as there are 5 copies and all must be legible. If you accessed this form from the Government of BC website, you may also complete it using the computer and then print all 5 copies. For more help there is a guide called “Making a Claim – Proceedings Previously Initiated Before the Civil Resolution Tribunal.”

FILE the Notice of Civil Resolution Tribunal Claim and all supporting documents by taking or mailing it to the small claims registry. If there is a claim against a company or a society, you must file a printout of a company search showing the most recent address of the company or society on file with the Registrar of Companies. There is no fee for filing the documents. You must also file an Address for Service (Form 38) - there is no fee for the filing of this document. The staff will check the form and, when it is accepted for filing, apply the registry stamp, add on the expenses from any application in Small Claims Court and service fees, and assign a file number. Staff will return the copies you need for your records and for serving on the other party(ies).

SERVE each other party named in the NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM with a copy of the documents, your filed address for service form and blank copies of the ADDRESS for SERVICE and REPLY forms if applicable. This how the other party(ies) knows the claim(s) is now proceeding in Small Claims Court. For more help with service there is a guide called “Serving Documents.”

AND THEN if a reply is filed, the court registry will send you a copy. If no reply is filed at the court registry within the time limit on the NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM, and the response is not continued from the tribunal, you may apply for a DEFAULT ORDER. You will have to file a certificate of service to prove the NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM has been served.

BEFORE a date for a settlement conference or trial conference can be set, you must file a CERTIFICATE OF COMPLIANCE.

FILED BY:

The filing party can be the initiating party(ies) from the Civil Resolution Tribunal (CRT) dispute or a party from the CRT dispute that has a claim against another party.

WHO?

You must be sure you include all parties from the CRT dispute. The claimant is the party that started the dispute in the CRT. The defendant is the party that the initial claim in the CRT was against.

The third party is a party the responding party in the CRT added to the CRT dispute.

You must file and serve a completed Address for Service (Form 38) advising of your address and where you can be served documents in the future.

Is there more than one claimant, defendant or third party? If so, put the names side by side in the space given.

WHY?

You can only bring a claim to Small Claims Court that is within the jurisdiction of the Civil Resolution Tribunal if a notice of objection was filed with the CRT before June 30, 2022, the CRT refuses to resolve a claim or the Court granted an order that the CRT not adjudicate the claim. If the CRT does not have jurisdiction over the matter, you can start a small claim using the NOTICE OF CLAIM (FORM 1).

DEPOSIT?

The Court may make an order that the person who has filed a notice of objection with the CRT make a deposit as a condition of making or defending a claim in Small Claims Court. If you want to make an APPLICATION FOR DEPOSIT you must complete and file FORM 35. This provision is no longer applicable as of July 1, 2022.

WHERE? WHEN?

A Notice of Civil Resolution Tribunal Claim must be filed at the small claims registry nearest to where

- a) the defendant lives or carries on business, OR
- b) the transaction or event that resulted in the claim took place.

WHAT? HOW MUCH?

The dispute before the CRT (claims and responses) will form the claim that will be before the Small Claims Court. You must file all the CRT initiating notices and responses they made or have received.

You must also file the document that shows why you are able to bring this claim to Small Claims Court. It will be a certificate or notice from the CRT or an order from Small Claims Court.

Forms and guides can be found at the Government of BC website:
www.gov.bc.ca/smallclaims

NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM

IN THE PROVINCIAL COURT OF BRITISH COLUMBIA (SMALL CLAIMS COURT)

REGISTRY FILE NUMBER
REGISTRY LOCATION
Civil Resolution Tribunal FILE NUMBER

WHO?

Fill in the name of the person(s) or organization(s) that initiated the original proceeding before the Civil Resolution Tribunal.

NAME			CLAIMANT(S)
ADDRESS			
CITY	PROV.	POSTAL CODE	TEL. #

Fill in the name of the person(s) or organization(s) the claimant's claim was against at the Civil Resolution Tribunal.

NAME			DEFENDANT(S)
ADDRESS			
CITY	PROV.	POSTAL CODE	TEL. #

Fill in the name(s) of any other person(s) or organization(s) claimed against by the defendant on a Notice of Objection filed with this form.

NAME			THIRD PARTY(IES)
ADDRESS			
CITY	PROV.	POSTAL CODE	TEL. #

Name of party filing this Notice of Civil Resolution Tribunal Claim.

FILED BY	_____	FILING PARTY(IES)
	<small>party name(s)</small>	

Form 38, Address for Service included for filing

WHY?

What permits this claim to be made in Small Claims Court.

<p>TAKE NOTICE that this proceeding is being filed in accordance with Rule 1.1 as:</p> <p><input type="checkbox"/> a notice of objection was filed and the Civil Resolution Tribunal has issued a Certificate.</p> <p><input type="checkbox"/> the Civil Resolution Tribunal has issued a notice refusing to resolve a claim after having issued an initiating notice.</p> <p><input type="checkbox"/> the Small Claims Court ordered the Civil Resolution Tribunal not adjudicate the claim.</p>

<p><input type="checkbox"/> An order for deposit under section 56.3 of the <i>Civil Resolution Tribunal Act</i> is being sought. <small>[Complete and file Form 35]</small></p>

WHERE?

Tell where the event or transaction that resulted in the initial claim took place.

CITY, PROV	_____	WHEN?	_____
		Tell when the claimant became aware of the issues in dispute.	

All initiating notices and responses described must be filed. The document showing why the Small Claims Court may hear this claim must also be filed. Include one copy of each document for each copy of this form being filed. A copy of each filed document must be served on each party with a copy of this form.

<p>DOCUMENTS TO BE FILED WITH THE NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM</p> <p><i>Check all applicable boxes.</i></p> <p><input type="checkbox"/> all initiating notices, as defined in the <i>Civil Resolution Tribunal Act</i>, received by the filing party;</p> <p><input type="checkbox"/> all responses, made under section 7 of the <i>Civil Resolution Tribunal Act</i>, received or made by the filing party;</p> <p><input type="checkbox"/> a certificate provided by the tribunal to the filing party under section 56.2 of the <i>Civil Resolution Tribunal Act</i>;</p> <p><input type="checkbox"/> a notice provided by the tribunal to the filing party to notify the filing party that the tribunal refuses to resolve the tribunal small claim;</p> <p><input type="checkbox"/> the Court order that the Civil Resolution Tribunal not adjudicate the tribunal small claim.</p>
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Amount of filing party's claim

HOW MUCH?

File the documents from the Civil Resolution Tribunal that describe what is being claimed, how much is being claimed and what is being disputed.

TIME LIMIT FOR REPLY IF RESPONSE IS NOT CONTINUED

A reply **must be completed and filed with an Address for Service within 14 days after being served in British Columbia or within 30 days after being served outside of British Columbia** with this notice, unless a response was already made at the Civil Resolution Tribunal in relation to the continued claim and filed with this notice. If a party's response made at the tribunal was filed with this notice, that response has been continued as a reply, but the party must still file an Address for Service. **If a reply is not filed, or a response not continued as a reply, a court order may be made without further notice.**

	\$	_____
+ EXPENSES	\$	_____
+ SERVICE FEES	\$	_____
= TOTAL CLAIMED	\$	_____

The Court Address for filing documents is:

NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM

court copy

NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM

IN THE PROVINCIAL COURT OF BRITISH COLUMBIA (SMALL CLAIMS COURT)

REGISTRY FILE NUMBER
REGISTRY LOCATION
Civil Resolution Tribunal FILE NUMBER

NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM

WHO?

This party initiated the file in the Civil Resolution Tribunal.

NAME			CLAIMANT(S)
ADDRESS			
CITY	PROV.	POSTAL CODE	TEL. #

This party was required to make a response to the initial claim at Civil Resolution Tribunal.

NAME			DEFENDANT(S)
ADDRESS			
CITY	PROV.	POSTAL CODE	TEL. #

This party was added by the defendant on the claim at the Civil Resolution Tribunal. This is who the defendant thinks should pay all or part of the claim.

NAME			THIRD PARTY(IES)
ADDRESS			
CITY	PROV.	POSTAL CODE	TEL. #

FILED BY _____ **FILING PARTY(IES)**

party name(s)

Form 38, Address for Service included for filing

WHY?

This is what the filing party says is bringing this proceeding to Small Claims Court.

TAKE NOTICE that this proceeding is being filed in accordance with Rule 1.1 as:

a **notice of objection** was filed and the Civil Resolution Tribunal has issued a Certificate.

the Civil Resolution Tribunal has issued a **notice refusing to resolve** a claim after having issued an initiating notice.

the Small Claims Court ordered the Civil Resolution Tribunal **not adjudicate the claim**.

An order for deposit under section 56.3 of the *Civil Resolution Tribunal Act* is being sought. *[Complete and file Form 35]*

WHERE?

This is where the claimant says the claim happened.

CITY, PROV. _____

WHEN?

Tell when the claimant became aware of the issues in dispute.

These are the documents the filing party was required to file. Their contents contain information about what is being claimed, how much is being claimed, what is being disputed and why the matter may be heard in Small Claims Court.

DOCUMENTS TO BE FILED WITH THE NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM

Check all applicable boxes.

all initiating notices, as defined in the *Civil Resolution Tribunal Act*, received by the filing party;

all responses, made under section 7 of the *Civil Resolution Tribunal Act*, received or made by the filing party;

a certificate provided by the tribunal to the filing party under section 56.2 of the *Civil Resolution Tribunal Act*;

a notice provided by the tribunal to the filing party to notify the filing party that the tribunal refuses to resolve the tribunal small claim;

the Court order that the Civil Resolution Tribunal not adjudicate the tribunal small claim.

HOW MUCH? Amount of filing party's claim

TIME LIMIT FOR REPLY IF RESPONSE IS NOT CONTINUED	\$ _____
A reply must be completed and filed with an Address for Service within 14 days after being served in British Columbia or within 30 days after being served outside of British Columbia with this notice, unless a response was already made at the Civil Resolution Tribunal in relation to the continued claim and filed with this notice. If a party's response made at the tribunal was filed with this notice, that response has been continued as a reply, but the party must still file an Address for Service. If a reply is not filed, or a response not continued as a reply, a court order may be made without further notice.	+ EXPENSES \$ _____
	+ SERVICE FEES \$ _____
	= TOTAL CLAIMED \$ _____

The Court Address for filing documents is:

NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM

IN THE PROVINCIAL COURT OF BRITISH COLUMBIA (SMALL CLAIMS COURT)

REGISTRY FILE NUMBER
REGISTRY LOCATION
Civil Resolution Tribunal FILE NUMBER

WHO?

This party initiated the file in the Civil Resolution Tribunal.

NAME _____ CLAIMANT(S)
 ADDRESS _____
 CITY _____ TEL. # _____
 PROV. _____ POSTAL CODE _____

This party was required to make a response to the initial claim at Civil Resolution Tribunal.

NAME _____ DEFENDANT(S)
 ADDRESS _____
 CITY _____ TEL. # _____
 PROV. _____ POSTAL CODE _____

This party was added by the defendant on the claim at the Civil Resolution Tribunal. This is who the defendant thinks should pay all or part of the claim.

NAME _____ THIRD PARTY(IES)
 ADDRESS _____
 CITY _____ TEL. # _____
 PROV. _____ POSTAL CODE _____

FILED BY _____ FILING PARTY(IES)
party name(s)

Form 38, Address for Service included for filing

WHY?

This is what the filing party says is bringing this proceeding to Small Claims Court.

TAKE NOTICE that this proceeding is being filed in accordance with Rule 1.1 as:

a **notice of objection** was filed and the Civil Resolution Tribunal has issued a Certificate.
 the Civil Resolution Tribunal has issued a **notice refusing to resolve** a claim after having issued an initiating notice.
 the Small Claims Court ordered the Civil Resolution Tribunal **not adjudicate the claim**.

An order for deposit under section 56.3 of the *Civil Resolution Tribunal Act* is being sought. [Complete and file Form 35]

WHERE?

This is where the claimant says the claim happened.

CITY, PROV. _____

WHEN?

Tell when the claimant became aware of the issues in dispute.

These are the documents the filing party was required to file. Their contents contain information about what is being claimed, how much is being claimed, what is being disputed and why the matter may be heard in Small Claims Court.

DOCUMENTS TO BE FILED WITH THE NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM
Check all applicable boxes.

all initiating notices, as defined in the *Civil Resolution Tribunal Act*, received by the filing party;
 all responses, made under section 7 of the *Civil Resolution Tribunal Act*, received or made by the filing party;
 a certificate provided by the tribunal to the filing party under section 56.2 of the *Civil Resolution Tribunal Act*;
 a notice provided by the tribunal to the filing party to notify the filing party that the tribunal refuses to resolve the tribunal small claim;
 the Court order that the Civil Resolution Tribunal not adjudicate the tribunal small claim.

Amount of filing party's claim

HOW MUCH?

TIME LIMIT FOR REPLY IF RESPONSE IS NOT CONTINUED

A reply **must be completed and filed with an Address for Service within 14 days after being served in British Columbia or within 30 days after being served outside of British Columbia** with this notice, unless a response was already made at the Civil Resolution Tribunal in relation to the continued claim and filed with this notice. If a party's response made at the tribunal was filed with this notice, that response has been continued as a reply, but the party must still file an Address for Service. **If a reply is not filed, or a response not continued as a reply, a court order may be made without further notice.**

\$ _____
 + EXPENSES \$ _____
 + SERVICE FEES \$ _____
 = **TOTAL CLAIMED** \$ _____

The Court Address for filing documents is:

NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM

other party copy

NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM

IN THE PROVINCIAL COURT OF BRITISH COLUMBIA (SMALL CLAIMS COURT)

REGISTRY FILE NUMBER
REGISTRY LOCATION
Civil Resolution Tribunal FILE NUMBER

WHO?

NAME _____	CLAIMANT(S)
ADDRESS _____	
CITY _____	TEL. # _____
PROV. _____	POSTAL CODE _____
NAME _____	DEFENDANT(S)
ADDRESS _____	
CITY _____	TEL. # _____
PROV. _____	POSTAL CODE _____
NAME _____	THIRD PARTY(IES)
ADDRESS _____	
CITY _____	TEL. # _____
PROV. _____	POSTAL CODE _____
FILED BY _____	FILING PARTY(IES)
party name(s)	

Form 38, Address for Service included for filing

WHY?

TAKE NOTICE that this proceeding is a SERVICE COPY, 1.1 as:

a **notice of objection** was filed and the Civil Resolution Tribunal has issued a Certificate.

the Civil Resolution Tribunal has issued a **notice refusing to resolve** a claim after having issued an initiating notice.

the Small Claims Court ordered the Civil Resolution Tribunal **not adjudicate the claim**.

An order for deposit under section 56.3 of the *Civil Resolution Tribunal Act* is being sought. *[Complete and file Form 35]*

WHERE?

CITY, PROV _____ **WHEN?** _____

DOCUMENTS TO BE FILED WITH THE NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM

Check all applicable boxes.

all initiating notices, as defined in the *Civil Resolution Tribunal Act*, received by the filing party;

all responses, made under section 7 of the *Civil Resolution Tribunal Act*, received or made by the filing party;

a certificate provided by the tribunal to the filing party under section 56.2 of the *Civil Resolution Tribunal Act*;

a notice provided by the tribunal to the filing party to notify the filing party that the tribunal refuses to resolve the tribunal small claim;

the Court order that the Civil Resolution Tribunal not adjudicate the tribunal small claim.

Amount of filing party's claim

HOW MUCH?

TIME LIMIT FOR REPLY IF RESPONSE IS NOT CONTINUED

A reply must be completed and filed with an Address for Service within 14 days after being served in British Columbia or within 30 days after being served outside of British Columbia with this notice, unless a response was already made at the Civil Resolution Tribunal in relation to the continued claim and filed with this notice. If a party's response made at the tribunal was filed with this notice, that response has been continued as a reply, but the party must still file an Address for Service. **If a reply is not filed, or a response not continued as a reply, a court order may be made without further notice.**

	\$ _____
+ EXPENSES	\$ _____
+ SERVICE FEES	\$ _____
= TOTAL CLAIMED	\$ _____

The Court Address for filing documents is:

NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM

service copy

REGISTRY FILE NUMBER
REGISTRY LOCATION

CERTIFICATE OF SERVICE

Fill in:
 Who served the document(s)?
 the **name of the party** served;
 When were the document(s) served?
 Where were the document(s) served?

I certify that

I, _____
 served _____

on _____
 Day/Month/Year

at _____
 Street address or location, city, province

with _____

LIST and ATTACH ALL document(s) that you served.

Tell how service took place by checking appropriate box(es) for:

by

an individual; Leaving a copy of it with him or her.
 Mailing a copy of it by registered mail to him or her.

a company as defined in the *Business Corporations Act*;
 Mailing a copy of it by registered mail to the registered office of the company.
 Leaving a copy of it at the registered office of the company
 at the place of business of the company, with a receptionist or a person who appears to manage or control the company's business there
 with a director, officer, liquidator, trustee in bankruptcy or receiver manager of the company.

Insurance Corporation of BC (ICBC); Mailing a copy of it by registered mail to the legal department at the Insurance Corporation of British Columbia (ICBC).
 Leaving a copy of it at the legal department at the Insurance Corporation of British Columbia (ICBC).

an extraprovincial company as defined in the *Business Corporations Act*;
 Mailing a copy of it by registered mail to the attorney shown in the corporate registry.
 Leaving a copy of it with the attorney shown in the corporate registry.
 Leaving a copy of it at the head office shown in the corporate registry if that head office is in British Columbia.
 Mailing a copy of it by registered mail to the head office shown in the corporate registry if that head office is in British Columbia.

a partnership;
 Mailing a copy of it by registered mail to a partner.
 Leaving a copy of it with a partner
 at the place of business of the partnership, with a person who appears to manage or control the partnership business there
 with a receptionist who works at a place of business of the partnership.

a municipal corporation, regional district or other local government body;
 Giving a copy to the clerk, deputy clerk or a similar official.

a young person;
 Leaving a copy of the notice with the defendant's mother, father or guardian.

a society within the meaning of the *Societies Act*;
 Mailing a copy of it by registered mail to the mailing address of the society's registered office on file with the Registrar of Companies.
 Leaving a copy of it at the delivery address of the society's registered office on file with the Registrar of Companies
 with a director, officer, receiver manager or liquidator of the society.

a corporation incorporated outside British Columbia if it is not an extraprovincial company;
 Mailing a copy of it by registered mail to a place of business or registered office of the corporation outside British Columbia.
 Leaving a copy of it at a place of business or registered office of the corporation outside British Columbia with a receptionist or a person who appears to manage or control the corporation's business
 with a director, officer, liquidator, trustee in bankruptcy or receiver manager of the corporation.

ordinary mail (and fill in the date mailed); Mailing a copy of it by ordinary mail to that person's address on _____ (NOTE: The date the documents are presumed served (above) is 14 days after this date.)
 Day/Month/Year

(Indicate other service method or instructions given by a judge or registrar for service.)

OTHER SERVICE method or alternate method ordered by the Court.

NOTE: You must give proof of service by REGISTERED MAIL by attaching one of the following:

1. a copy, produced by fax or otherwise, of the signature obtained by Canada Post at the time the document was delivered.
2. a print-out of the delivery confirmation made available on the Internet by Canada Post (<http://www.canadapost.ca>).

 Signature of person who served the document

 Date

NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM

IN THE PROVINCIAL COURT OF BRITISH COLUMBIA (SMALL CLAIMS COURT)

REGISTRY FILE NUMBER
REGISTRY LOCATION
Civil Resolution Tribunal FILE NUMBER

WHO?

Fill in the name of the person(s) or organization(s) that initiated the original proceeding before the Civil Resolution Tribunal.

NAME _____ CLAIMANT(S)
 ADDRESS _____
 CITY _____ TEL. # _____
 PROV. _____ POSTAL CODE _____

Fill in the name of the person(s) or organization(s) the original proceeding was against at the Civil Resolution Tribunal.

NAME _____ DEFENDANT(S)
 ADDRESS _____
 CITY _____ TEL. # _____
 PROV. _____ POSTAL CODE _____

Fill in the name of another person(s) or organization(s) the defendant included on a Notice of Objection filed with this form.

NAME _____ THIRD PARTY(IES)
 ADDRESS _____
 CITY _____ TEL. # _____
 PROV. _____ POSTAL CODE _____

FILED BY _____ FILING PARTY(IES)
party name(s)

Form 38, Address for Service included for filing

WHY?

What permits this claim to be made in Small Claims Court.

TAKE NOTICE that this proceeding is being filed in accordance with Rule 1.1 as:

a **notice of objection** was filed and the Civil Resolution Tribunal has issued a Certificate.
 the Civil Resolution Tribunal has issued a **notice refusing to resolve** a claim after having issued an initiating notice.
 the Small Claims Court ordered the Civil Resolution Tribunal **not adjudicate the claim**.

An order for deposit under section 56.3 of the *Civil Resolution Tribunal Act* is being sought. [Complete and file Form 35]

WHERE?

Tell where the claim happened.

CITY, PROV _____

WHEN?

Tell when the claimant became aware of the issues in dispute.

File the documents or records from the Civil Resolution Tribunal that describe what is being claimed, how much is being claimed and what is being disputed.

DOCUMENTS TO BE FILED WITH THE NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM
 Check all applicable boxes.

all initiating notices, as defined in the *Civil Resolution Tribunal Act*, received by the filing party;
 all responses, made under section 7 of the *Civil Resolution Tribunal Act*, received or made by the filing party;
 a certificate provided by the tribunal to the filing party under section 56.2 of the *Civil Resolution Tribunal Act*;
 a notice provided by the tribunal to the filing party to notify the filing party that the tribunal refuses to resolve the tribunal small claim;
 the Court order that the Civil Resolution Tribunal not adjudicate the tribunal small claim.

Amount of filing party's claim

HOW MUCH?

TIME LIMIT FOR REPLY IF RESPONSE IS NOT CONTINUED

A reply must be completed and filed with an Address for Service within 14 days after being served in British Columbia or within 30 days after being served outside of British Columbia with this notice, unless a response was already made at the Civil Resolution Tribunal in relation to the continued claim and filed with this notice. If a party's response made at the tribunal was filed with this notice, that response has been continued as a reply, but the party must still file an Address for Service. **If a reply is not filed, or a response not continued as a reply, a court order may be made without further notice.**

\$ _____
 + EXPENSES \$ _____
 + SERVICE FEES \$ _____
 = TOTAL CLAIMED \$ _____

The Court Address for filing documents is:

NOTICE OF CIVIL RESOLUTION TRIBUNAL CLAIM

filing party's copy